THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.2811 of 2007

15th February 2007

Between:

Sri Angothu Jagan, S/o.Raghu, 40 years, R/o.Kaikandaigudem, Khammam Rural Mandal, Khammam District.

...PETITIONER

AND

1. The Principal Chief Conservator of Forests, Government of Andhra Pradesh, Hyderabad.

And three others.

...RESPONDENTS

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.2811 of 2007

ORDER:

A mining lease to extract graphite in a land situated at Jeediguppa Village, Bhadrachalam Mandal, Khammam District, which is a forest area, was granted initially in the year 1964 in favour of M/s.Gopalkrishnam Raja Mining Works. Subsequently, it came to be transferred in favour of the petitioner on 11.09.2004. The lease in favour of the petitioner expired by 29.12.2004. He is said to have submitted an application on 01.10.2004 for renewal of the lease. The petitioner states that he complied with all the objections raised by the respondents, who processed the application for renewal and complains that despite the same, no renewal has been granted so far. He and seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Forests.

The mining lease, which was initially granted in the year 1964, has undergone several changes over a period of time, be it in the context of the area or the lessee. The original area was 30 hectares whereas it came to be restricted to 0.5 hectares. The lease was transferred in favour of the petitioner in the year 2004. Developments in the form of enactment to the Forest Conservation Act, 1980 and State Amendment to Section 11 of the said Act in the year 1995 have also taken place. When so many subsequent events have taken place, it is natural the application of the petitioner for renewal needed a close examination and thorough consideration. Be that as it may, application cannot be kept pending indefinitely, as stoppage of the

work at the site would lead to its own complications from various points of view.

Hence, the Writ Petition is disposed of directing the first respondent to pass appropriate orders on the application of the petitioner, for renewal of the mining lease within a period of six {6} weeks from the date of receipt of a copy of this order. No costs.

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(L.NARASIMHA REDDY, J)

15th February 2007
RRB